

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TINA RAMIREZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:20-cv-01276-SAB

ORDER RE STIPULATION FOR
VOLUNTARY REMAND PURSUANT TO 42
U.S.C. § 405(g)

(ECF Nos. 27, 28)

Tina Ramirez (“Plaintiff”) seeks judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying an application for disability benefits pursuant to the Social Security Act. (ECF No. 1.) On November 9, 2021, the parties filed a stipulation agreeing to a voluntary remand of this matter pursuant to 42 U.S.C. § 405(g). (ECF No. 28.)¹ Pursuant to the terms of the stipulation, the Commissioner will instruct the ALJ to: properly assess Plaintiff’s mental impairments using the special technique set forth in 20 C.F.R. §§ 404.1520a, 416.920a; and offer Plaintiff the chance for a new hearing and take whatever steps are necessary to complete the record and issue a new decision. (Id. at 1-2.) The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff and

¹ The Court notes that Defendant concurrently filed a stipulated request for a one day extension to file an opposition brief. (ECF No. 27.) The filing indicates the opposition brief was due on November 8, 2021, and requests until November 9, 2021, to file such brief. (Id.) The Court presumes counsel intended to clean up any non-compliance with the scheduling order prior to filing the instant request for remand, and does not intend to file an opposition brief. Accordingly, such request is granted in order to clear up such non-compliance before this remand order is entered.

1 against Defendant, reversing the final decision of the Commissioner. (Id. at 2.) The Court finds
2 good cause exists to grant the parties' stipulated request.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The above-captioned action be remanded to the Commissioner of Social Security
5 for further proceedings consistent with the terms of the stipulation for remand;
- 6 2. Judgment is entered in favor of Plaintiff Tina Ramirez and against Defendant
7 Commissioner of Social Security; and
- 8 3. The Clerk of the Court is directed to close this action.

9
10 IT IS SO ORDERED.

11 Dated: November 9, 2021


UNITED STATES MAGISTRATE JUDGE